

House File 2499 - Introduced

HOUSE FILE _____
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 538)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to case permanency plans, consent decrees, and
2 attendance at proceedings in juvenile court.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5504HV 82
5 jm/rj/8

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1 1 Section 1. Section 232.2, subsection 4, paragraph e, Code
2 Supplement 2007, is amended to read as follows:
3 e. The most recent information available regarding the
4 child's health and education records, including the date the
5 records were supplied to the agency or individual who is the
6 child's foster care provider. If the child remains in foster
7 care until the age of majority, the child is entitled to
8 receive prior to discharge the most recent information
9 available regarding the child's health and educational
10 records.

1 11 Sec. 2. Section 232.46, subsection 4, Code 2007, is
2 amended to read as follows:
3 4. A consent decree shall remain in force for ~~six months~~
4 up to one year unless the child is sooner discharged by the
5 court or by the juvenile court officer or other agency or
6 person supervising the child. Upon application of a juvenile
7 court officer or other agency or person supervising the child
8 made prior to the expiration of the decree and after notice
9 and hearing, or upon agreement by the parties, a consent
10 decree may be extended for up to an additional six months year
11 by order of the court.

1 22 Sec. 3. Section 232.91, subsection 3, Code Supplement
2 2007, is amended to read as follows:
3 3. Any person who is entitled under section 232.88 to
4 receive notice of a hearing concerning a child shall be given
5 the opportunity to be heard in any other review or hearing
6 involving the child. A foster parent, relative, or other
7 individual with whom a child has been placed for preadoptive
8 care shall have the right to be heard in any proceeding
9 involving the child. If a child is of an age appropriate to
10 attend the hearing but the child does not attend, the court
11 shall determine if the child was informed of the child's right
12 to attend the hearing.

EXPLANATION

1 34 This bill relates to case permanency plans, consent
2 35 decrees, and notification in juvenile court.
3 2 The bill provides that a child who remains in foster care
4 3 until the age of majority may receive the most recent
5 4 information regarding the child's health and educational
6 5 records prior to discharge from juvenile court.
7 6 The bill provides that a consent decree entered into in
8 7 juvenile court in a juvenile delinquency proceeding shall
9 8 remain in force for up to one year unless the juvenile is
10 9 discharged by the court. The bill also provides that a
11 10 consent decree may be extended for up to an additional year.
12 11 Current law provides that a consent decree shall only remain
13 12 in force for six months and may be extended for an additional
14 13 six months.
15 14 A consent decree is an agreement entered into by a juvenile
16 15 in delinquency proceeding whereby the juvenile voluntarily
17 16 agrees to terms and conditions established by the court. If
18 17 the juvenile abides by the terms and conditions of the consent
19 18 decree the state cannot proceed against the juvenile for any

2 19 delinquent act alleged in the delinquency petition.
2 20 Under the bill, in any child in need of assistance
2 21 proceedings where the child does not attend and the child's
2 22 age is appropriate to attend such proceedings, the court shall
2 23 determine if the child was informed of the child's right to
2 24 attend.
2 25 LSB 5504HV 82
2 26 jm/rj/8